



State Capitol | Lansing, Michigan 48913
PH (517) 373.5932 | FAX (517) 373.5944
www.senate.michigan.gov/gop/senator/brown/

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Contact: Jeanne Laimon
(517) 373-5932

House listens to testimony on Sen. Brown's bills to prevent spyware installation

LANSING – Testimony on legislation making it a crime to install software that tracks Internet users' activity without their consent was taken by the House Judiciary Committee Wednesday, said state Sen. Cameron S. Brown, R-Fawn River Township.

If signed into law, Senate Bills 53, 54 and 151, sponsored by Brown, would protect consumers from unwelcome spyware installation that can monitor online activity without the user's knowledge or consent.

"People have a right to personal privacy when using the Internet," Brown said. "No one deserves to have their privacy violated and my legislation will help make sure that doesn't happen."

Brown's plan applies to both home and business computers.

Spyware can diminish the performance and stability of computer systems, and may even cause computers to crash. Both California and Utah have passed laws restricting spyware installation. Several other states have legislation pending.

A survey conducted by Internet service provider America Online found that 80 percent of home computers are infected with some form of spyware.

According to Michigan's Chief Information Security Officer Dan Lohrmann, by blocking spyware, the state avoids spending approximately \$765,000 a month on paying for a technician to physically visit each computer for repair and cleaning.

Knute Judsen, president of ZCSS of Three Rivers, testified before the committee.

"It's great to see the House take up this bill and it's encouraging that Microsoft supports the legislation," Judsen said.

SB 54 would not only prohibit individuals from installing or attempting to install spyware into another person's computer, computer system or network, it would also prohibit individuals from manufacturing, selling or possessing spyware with the intent to violate the act.

Violators could face fines up to \$10,000 and imprisonment for up to five years.

The three-bill package would allow for spyware victims to bring civil action and the Michigan Attorney General's office or local prosecutor to also file criminal charges.

Federal lawmakers are currently advancing similar legislation in the U.S. Congress.